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8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
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11 **MARCUS DUPREE HARRIS,**

12 **Plaintiff,**

13 **v.**

14 **CAROLYN W. COLVIN, Acting**  
15 **Commissioner of Social Security,**

16 **Defendant.**  
17

Case No. ED CV 16-00543 FMO (AFM)

**ORDER TO SHOW CAUSE RE  
DISMISSAL FOR FAILURE TO  
PROSECUTE**

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19 By Order Re: Procedures in Social Security Appeal filed March 28, 2016  
20 (ECF No. 9), plaintiff was ordered to file a Memorandum in Support of Plaintiff's  
21 Complaint within thirty-five (35) days after service of defendant's responsive  
22 pleading. (Order, ¶ 5a.) Defendant filed and served her Answer on August 16,  
23 2016. On September 8, 2016, the parties stipulated that plaintiff shall have "up to  
24 and including September 6, 2016, to submit Plaintiff's Settlement Letter and all  
25 other dates are adjusted accordingly. Plaintiff's final reply Memorandum will be  
26 filed December 20, 2016." Based on a due date of December 20, 2016 for the  
27 Reply, the Memorandum in Support of Plaintiff's Complaint was due on or before  
28 November 1, 2016. The docket sheet shows that, as late as the date of this Order,

1 plaintiff has not filed a Memorandum in Support of Plaintiff's Complaint and has  
2 thus failed to comply with the Court's Order.

3 Accordingly, IT IS ORDERED that within 20 days of the filing date of this  
4 Order, plaintiff shall show cause in writing why this action should not be dismissed  
5 for failure to prosecute. If plaintiff fails to respond to this Order within the time  
6 specified, it will be deemed to be consent to a dismissal. The filing of a Plaintiff's  
7 Memorandum in Support of Complaint within 20 days shall discharge the order to  
8 show cause.

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10 DATED: 11/7/2016

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13 ALEXANDER F. MacKINNON  
14 UNITED STATES MAGISTRATE JUDGE  
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